Pleasant Grove City City Council Regular Meeting Minutes January 5, 2016 6:00 p.m.

PRESENT:

Mayor: Michael W. Daniels

Council Members: Dianna Andersen

Eric Jensen Cyd LeMone Ben Stanley

Lynn Walker (Council Elect)

Staff Present: Scott Darrington, City Administrator

Denise Roy, Finance Director

David Larson, Assistant to the City Administrator

Deon Giles, Parks and Recreation Director

Corey Cluff, Deputy Fire Chief Mike Smith, Police Chief Kathy Kresser, City Recorder

Ken Young, Community Development Director

Marty Beaumont, Public Works Director

Tina Petersen, City Attorney

Others: Daniel Thomas, St. John Properties

Cindy Boyd (Former City Council Member)

The City Council and staff met in the City Council Chambers at 86 East 100 South, Pleasant Grove, Utah.

1) CALL TO ORDER

Mayor Daniels called the meeting to order and noted that all Council Members were present.

2) PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Boyd.

3) OPENING REMARKS

The opening remarks were given by Council Member LeMone.

4) <u>APPROVAL OF AGENDA</u>

Mayor Daniels suggested that the open session be moved after Section 7. There was brief discussion regarding other items that were originally on the agenda, but were removed prior to the agenda being posted publicly.

ACTION: Council Member Stanley moved to approve the agenda with the aforementioned change of moving the open session to after Section 7. Council Member Boyd seconded the motion. The motion passed with the unanimous consent of the Council.

5) <u>OPEN SESSION</u>

Note: The open session took place after Section 7.

Mayor Daniels opened the open session.

Jennifer Baptista gave her address as 32 North 1300 East, and asked to address the Council regarding the City Council's Policies and Procedures. Ms. Baptista explained that prior to coming forward on this item she conducted research on the proceedings of last year's meetings. She presented a chart that showed that last year the City Council held 40 meetings, which last an average of three hours and 27 minutes each. There were no meetings that lasted one hour, six meetings that lasted between one and two hours, 11 meetings that lasted between two and three hours, 13 meetings that lasted between three and four hours, six meetings that lasted between four and five hours, and four meetings that lasted over five hours. There were 291 agenda items, which averaged 7.46 agenda items per meeting. A total of 89 comments were made during open sessions, averaging approximately 2.3 comments per meeting. There were 208 discussion comments made, or around six per meeting, and 297 public comments made. The City Council heard 45 presentations and discussion items, for a total of 134 hours and nine minutes. These numbers do not reflect information from three meetings, for which Ms. Baptista did not collect information.

The two lengthiest meetings pertained to the Public Safety Building Committee, with one meeting lasting four hours and 18 minutes and the other lasting five hours and 20 minutes. The public comment segments of those meetings lasted one hour and two minutes and one hour and 52 minutes, respectively. Individual comments lasted within the three-minute range; discussion in response to those comments lasted up to 15 minutes per person. Other items that attributed to lengthy meetings last year pertained to the budget, 4000 North Sewer, R-rated movies at the library, a specific rezone in the City, and accessory apartments. Ms. Baptista outlined the length of public hearing time for each meeting and the number of comments made on those particular items.

Ms. Baptista pointed out that the length of the items is not solely attributed to public comments, but rather to the length of the presentations. The public comment segments of meetings are an opportunity to create important dialogue between the community and elected officials. Therefore, she suggested that presentations only take place during work sessions and that public hearings take place on all resolutions, ordinances, rezones, and review of master and generals plans. Discussions where action is not being taken can also be moved to work sessions.

Blaine Thatcher gave his address as 120 North 1400 East and asked if public comment will be allowed during tonight's meeting. Mayor Daniels stated that he will ask if the Council wants to allow public comment during certain items; however, not all items have been published to indicate that public comments will be allowed. Section 9, for example, has been published as public discussion. Public hearings are deemed necessary according to the nature of the item and as mandated by State law. Mr. Thatcher stated that it is the duty of the Mayor and City Council to allow open dialogue with citizens, as indicated by swearing an oath of fidelity to their respective offices. He encouraged the Council to not restrict the citizens' ability to communicate openly in public meetings. Mayor Daniels clarified that the decision to allow public comment on items that are not public hearings was brought forward through a request made by Jennifer Baptista about one year ago following the previous election. We have tried it that way and now it is up to the new Council to decide whether they want to continue that. The policy has never been that this is allowed so there is nothing being taken away and he hoped that clarifies this.

Melissa Finch gave her address as 1061 East 1010 North and reported that she worked for the State Government for over 30 years and attended many meetings during that time. She had never been in a meeting where there have not been rules of decorum. She appreciated the research done by Ms. Baptista on the matter and explained that rules of decorum need to also be implemented in Pleasant Grove's City Council Meetings. The suggestions made will help the Council get more accomplished while still involving the community in an appropriate way.

There were no further public comments. Mayor Daniels closed the open session.

6) CONSENT ITEMS

- a) City Council Meeting Minutes:
 City Council Minutes for the December 1, 2015 meeting.
 City Council Minutes for the December 8, 2015 meeting.
- b) To consider approval of payment vouchers for December 22, 2015.

ACTION: Council Member Boyd moved to approve the consent items. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

7) BOARD, COMMISSION, COMMITTEE APPOINTMENTS

A) ADMINISTER THE OATH OF OFFICE TO THE NEW COUNCIL MEMBERS.

Mayor Daniels commented that he has enjoyed working with Council Member Cindy Boyd over the past several years. Council Member Boyd thanked staff and stated that the City is moving in a positive direction. She expressed appreciation for the opportunity to have been a part of the progress that has taken place.

City Recorder, Kathy Kresser, administered the Oath of Office to Jerry Lynn Walker, Cyd LeMone and Eric Jensen as members of the Pleasant Grove City Council.

B) ELECTION OF A MAYOR PRO-TEM FOR 2016.

ACTION: Council Member Jensen moved to elect Council Member, Dianna Andersen, as the Mayor Pro-Tem for 2016. Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

C) TO CONSIDER APPROVAL OF THE APPOINTMENT OF THE CITY TREASURER AND CITY RECORDER.

ACTION: Council Member LeMone moved to consider approval of the appointment of the City Treasurer as Karen Bezzant and the City Recorder as Kathy Kresser. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

8) <u>PRESENTATIONS</u>

A) ST. JOHN PROPERTIES PRESENTATION.

Daniel Thomas congratulated the newest members of the City Council. He explained that tonight's discussion stems from their decision to put Valley Grove on hold as well as the Council's desire to create a thriving community that generates more sales tax. He first addressed the decision made to put Valley Grove on hold and noted that there have been mixed narratives on the matter. Mr. Thomas explained that it became evident last year that he had missed the mark, having fallen short of certain expectations. Therefore, St. John Properties decided to take a step back and reevaluate their investment in Valley Grove and the State of Utah. He expressed appreciation for the kindness extended to him on the part of City staff and particularly from Administrator Darrington. He welcomed questions and feedback from the City Council regarding a rendering and general concept of the Valley Grove development.

Mayor Daniels asked Mr. Thomas to explain how the current rendering differs from the one presented last fall. Mr. Thomas identified the various architectural elements that have been changed, including parapets and aesthetic changes to the street side of the building. Council Member Stanley asked if there is a significant impact between glass materials versus stone work. Mr. Thomas explained that there will be more stone on the retail building because of the amount of surface space. Renderings of the office buildings were then discussed in greater detail.

Mayor Daniels noted that the Planning Commission forwarded a positive recommendation on the Valley Grove proposal. However, there were concerns raised about certain design elements. St. John Properties' was advised by their legal counsel that it complies with the Code and that the best approach is for them to come back to the City Council. Mr. Thomas explained that they will be resubmitting their proposal, which addresses specific concerns that were raised at the staff level.

In response to an inquiry from Council Member Jensen, Mayor Daniels explained that he and Administrator Darrington have requested a meeting with the Governor's Office of Economic Development (GOED) to discuss concerns they have with trying to develop in the area because of traffic flow. Mr. Thomas commented that they have also spoken with GOED who is very aware of the economic opportunities in Pleasant Grove.

Director Young briefly mentioned that if the current proposal does not meet City standards the item should be reviewed by the Planning Commission prior to coming before the Council for approval. A Code amendment may or may not be necessary in which case the process would be prolonged even more.

9) ACTION ITEMS WITH PUBLIC DISCUSSION

A) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2016-1) FOR A PROPOSED TEXT AMENDMENT MODIFYING SECTION 10-18-2: PARKING AND DESIGN STANDARDS TO REMOVE THE REQUIREMENT TO PROVIDE PAVED ACCESS TO NON-PRIMARY GARAGES IN THE PLEASANT GROVE CITY CODE. (Ryan Warner, applicant).

Community Development Director, Ken Young, presented the staff report and explained that the applicant is requesting approval of a City Code Text Amendment that would remove the requirement for paved access to garages that do not serve as the primary garage for the main dwelling. Some of the garages serve as the primary garage for the home while others do not. Those that do not are seldom used on a regular basis, which would not justify full garage pavement. Since accessory garages are required to be located behind the rear wall of the home and the majority of properties in the City have a minimum 25-foot front yard setback with a common minimum house depth of 20 feet, accesses to these structures are often 45 feet long at a minimum.

The cost of paving an access to an accessory garage puts a significant burden on property owners to provide access to a garage that may only be accessed by a vehicle a few times a year, if at all. In an effort to reduce the financial burden on property owners and reduce the amount of impermeable surfaces on properties, the applicant proposed that paved access to accessory garages only be required when the garage houses the minimum required parking for the main dwelling. If the accessory garage does not house this parking, the type of material used to access the garage is to be determined the property owner. The item was recommended for approval by staff and the Planning Commission.

Mayor Daniels opened the public hearing.

<u>Matt Godsey</u> gave his address as 1026 East 1100 North and asked if the paved access can just be two strips for the tires or if it needs to span the entire width of the driveway. Director Young stated that the Code allows for pavers or strips.

There were no further public comments. Mayor Daniels closed the public hearing.

It was noted that the applicant was not present. Council Member Stanley asked if the Code allows alternative options to pavement such as gravel. Director Young explained that while they do allow pavers or strips, gravel can be problematic in the front yard.

ACTION: Council Member Stanley moved that the Council adopt an ordinance (2016-1) for a proposed text amendment modifying Section 10-18-2: Parking and Design Standards to remove the requirement to provide paved access to non-primary garages in the Pleasant Grove City Code.

Council Member Andersen seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting "Aye". The motion carried unanimously.

B) PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE (2016-2) FOR A PROPOSED TEXT AMENDMENT TO RELOCATE THE OVERLAY SECTIONS WITHIN TITLE 10 TO THE OVERLAY CHAPTER TO MAKE THEM EASIER TO FIND. MOVING SECTIONS 10-11-G: DOWNTOWN MIXED USE OVERLAY, 10-11-H: RURAL COMMERCIAL OVERLAY, AND 10-11-I: SENIOR HOUSING OVERLAY TO CHAPTER 13: OVERLAYS IN TITLE 10 OF THE PLEASANT GROVE CITY CODE. (Pleasant Grove City, applicant).

Director Young explained that the proposed City Code amendment is a bookkeeping measure designed to make the Code more approachable and accessible. Currently there are three overlay sections in Chapter 11 of Title 10 that contain the commercial sections of the Code. There is an existing overlay chapter where the overlays should be located (Chapter 13 of Title 10). None of the content of these chapters will be modified.

Mayor Daniels opened the public hearing. There were no public comments. The public hearing was closed.

ACTION: Council Member Andersen moved that the Council adopt an Ordinance (2016-2) for a proposed text amendment to relocate the Overlay Sections within Title 10 to the Overlay Chapter to make them easier to find. Moving Sections 10-11-G: Downtown Mixed Use Overlay, 10-11-H: Rural Commercial Overlay, and 10-11-I: Senior Housing Overlay to Chapter 13: Overlays in Title 10 of The Pleasant Grove City Code. Council Member Jensen seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting "Aye". The motion carried unanimously.

C) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2016-3) FOR A PROPOSED TEXT AMENDMENT TO CHANGE FROM REQUIRING COMPLETION OF ALL INFRASTRUCTURE IMPROVEMENTS PRIOR TO THE ISSUANCE OF A BUILDING PERMIT TO COMPLETION PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. MODIFYING SECTIONS 10-11-G-4-B, 10-6-2, 10-8-15-D & E, 10-9A-15-D, 10-9B-14-C, 10-9C-15-E, 10-10-17-F, 10-11A-16-G, 10-11C-15-H, 10-11D-15-H, 10-11E-2-14-H, 10, 11-E-3-14-H, 10-11-F-15-H, 10-12A-9-L, 10-12B-14-D, 10-13A-17-I, 10-14-9-B, 10-15-41, AND 10-15-41-F IN TITLE 10 OF THE PLEASANT GROVE CITY CODE. (Pleasant Grove City, applicant).

Director Young explained that the proposed Code amendment is a correction to the Code requirements that are incompatible with flexible development practices. Several sections of the current Code require that all applicable infrastructure including roads, sidewalks, utilities, storm water management, communication systems, and schools be installed prior to issuance of a building permit. Depending on the scope and timing of a project, the installation of improvements required prior to receiving a building permit has the potential to unnecessarily slow the project

down. In an effort to provide for smoother and more efficient development, the proposed amendment allows building permits to be issued for up to 25% of residential lots in new developments without installing full improvements. It also allows for commercial developments to obtain all building permits without installing full improvements. It does, however, require that all improvements be installed prior to receiving a certificate of occupancy.

Council Member Stanley asked if the situation in which improvements go in before issuance of the building permit occurs frequently. Director Young explained that the situation depends on the property. As previously indicated, residential developments with several lots, for example, will allow up to 25% of the total lots in the plat to begin construction with a building permit prior to completion of the road improvements. Council Member Jensen referenced the Bella Grace development and noted that there have been improvements made.

City Engineer, Degen Lewis, explained that approximately 30 years ago developers were required to build all improvements before beginning construction on homes. This proved to be difficult due to problems with cash flow. In commercial areas, it is more practical to construct the building while putting in major infrastructure. It was noted that the ordinance allows for up to a two-year extension, at the request of the applicant, for installing improvements. Such extensions are reviewed and approved by the Community Development Director.

Mayor Daniels opened the public hearing. There were no public comments. The public hearing was closed.

Council Member Stanley asked City Attorney, Tina Petersen, if the proposed amendments are supportable from a legal perspective and wanted to make sure that the cross references were all correct. Administrative procedures were briefly discussed. Attorney Petersen noted that she had not thoroughly reviewed the amendments to ensure that all of the cross references are correct. Since the ordinance was proposed and drafted by Community Development she states that she would double check them prior to sending it it to the codifiers.

ACTION: Council Member Stanley moved that the Council adopt an Ordinance (2016-3) for a proposed text amendment to change from requiring completion of all infrastructure improvements prior to the issuance of a building permit to completion prior to issuance of a certificate of occupancy. Modifying sections 10-11-G-4-B, 10-6-2, 10-8-15-D & E, 10-9A-15-D, 10-9B-14-C, 10-9C-15-E, 10-10-17-F, 10-11A-16-G, 10-11C-15-H, 10-11D-15-H, 10-11E-2-14-H, 10, 11-E-3-14-H, 10-11-F-15-H, 10-12A-9-L, 10-12B-14-D, 10-13A-17-I, 10-14-9-B, 10-15-41, and 10-15-41-F in Title 10 of the Pleasant Grove City Code, pending legal review. Council Member Andersen seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting "Aye". The motion carried unanimously.

10) ACTION ITEMS READY FOR VOTE

A) TO CONSIDER ADOPTION OF A RESOLUTION (2016-01) AMENDING THE CITY COUNCIL POLICY AND PROCEDURE POLICY.

The Council made a decision to allow public comment on the item. Administrator Darrington explained that it was discussed in early December 2015, and the Council's decision on the policy was not unanimous. As a result, staff made modifications based on the feedback received. Administrator Darrington presented the following (changes have been italicized):

- 10.2 <u>Time Limited:</u> A time limit of three minutes will be given to any individual addressing the City Council during a public hearing or open session.
- 10.3 Order of Comment: The City Council shall first be addressed by the appropriate Staff member who will present and discuss with the City Council the issue at hand. Next if there is an applicant, the applicant shall discuss with the City Council the issue at hand and present additional or more specific information. Finally, any person desiring to address the City Council shall be recognized to speak to the City Council by the Mayor. If there are numerous individuals that would like to address the City Council, the Mayor has the discretion of creating a signup sheet. The Council Members may request clarification on comments from any speaker, and the speaker shall be allowed to respond.

10.4 Procedures:

- a. The Mayor shall conduct all public hearings and should review the rules for public hearing prior to comment.
- b. Individuals can address the City Council one time on each issue. If there is a desire to speak again on the same issue they may do so at the discretion of the City Council.
- 10.6 <u>Questions from Council Members:</u> The Council Members may request clarification or additional input from the Staff, applicants, or the general public through the Mayor during the scheduled items portion of the meeting.
- 13.1 <u>Time Limited:</u> Meetings shall be adjourned at 11:00 p.m. unless a motion is made to extend the meeting to a specific time. *Meeting must adjourn at 12:00 a.m.*

Administrator Darrington clarified that 10.4.b does not include the Mayor, because he is not a voting member of the governing body. Council Member Stanley asked if there is any way to extend the 12:00 p.m. meeting cutoff time in the event of an emergency. Attorney Petersen read from the ordinance, which states that any business that does not conclude by midnight will be moved to the next meeting agenda. In the event of a dire emergency, a motion can be made to extend past midnight.

Mayor Daniels opened the discussion for public comment.

Matt Godsey gave his address as 1026 East 1100 North and asked for clarification on the three-minute time limit. Mayor Daniels clarified that the time limit pertains to the speaker's comments,

and does not include interactive discussion with staff and Council. Mayor Daniels also made reference to a public hearing in which 89 people commented on a particular item; in this case, a signup sheet was necessary, and a person managed a stop watch. A timer would be visible to the speaker.

<u>Christopher Williams</u> gave his address as 845 North 100 East and asked for clarification on the points presented. He was concerned with citizens being cut off inadvertently from expressing their views, especially if they are misrepresented in some way. He did not like limiting citizens to only one comment per item.

<u>Drew Armstrong</u> gave his address as 995 East Center Street and proposed that the Council add an additional minute for second statements to be made, in case a correction needs to be made. Mr. Armstrong expressed concerns with other citizens in attendance getting stuck on the agenda behind a large, contentious issue. He acknowledged Mr. Williams's point that sometimes a person may be misrepresented by another citizen, thereby warranting a need to provide a rebuttal. Mr. Armstrong felt that adding an extra minute would help alleviate that concern without becoming overly burdensome for those in attendance for subsequent agenda items.

Council Member LeMone asked how the Council would determine whether misrepresentations were made and rebuttals were appropriate. Mr. Armstrong replied that all residents who made a comment during a public hearing would be given a second opportunity to speak, but with a one-minute time limit. Whether they use that extra minute would be at their own discretion.

<u>Blaine Thatcher</u> gave his address as 120 North 1400 East and commented that oftentimes comments made in a public hearing influence how Council Members vote. He argued that if as an elected body they distance themselves from receiving public comment, they will not be able to accurately represent their constituents.

Mayor Daniels closed the discussion to public comment. He summarized the points raised, which lead to further deliberation.

It was noted that the Council always has the flexibility to allow extra time for public comments, if they deem it necessary. Mayor Daniels explained that the purpose of policies and procedures is to create an orderly setting where everyone has an opportunity to participate. Council Member Stanley disagreed with statements made indicating that the Council does not have rules of decorum that are implemented in meetings. He was of the opinion that adding restrictions to the meeting structure will make it a cumbersome process. Furthermore, he felt that the discretion in how the meetings flow should be in the hands of the Mayor rather than the City Council. Generally, he was opposed to the proposed changes with the exception of the 12:00 p.m. cutoff time so long as meetings can be prolonged in the event of an emergency.

Council Member LeMone commented that the City Council changed the format of their meetings last year based on feedback received from the public. Specifically, they did away with work sessions and opted to allow for public comment on every agenda item, thereby creating more of a town hall setting. As a result, she observed and had received several emails from citizens who are of the opinion that City Council Meetings have become less efficient, less effective, and more

disrespectful. Furthermore, she felt it was inappropriate to make others wait hours when they have taken the time and effort to place their item of business on the same agenda. Council Member LeMone explained that the updated policies and procedures are not taking away from the opportunity citizens have to reach out to elected officials over issues that matter to them. It is standard procedure for other cities, school boards, and public groups to set a time limit and implement rules of decorum during public meetings.

Council Member Jensen commented Cedar Hills implemented a three-minute time limit per person during public hearings with a total of 30 minutes of open session time. He contacted David Church with the Utah League of Cities and Towns to hear his suggestions on the matter. One was to implement a three-minute time limit. Council Member Jensen stated that the policy is worth trying in Pleasant Grove and will help meetings run more smoothly.

Council Member Walker thanked Ms. Baptista for her presentation during the open session and for gathering meeting data from last year. He stated that he would be voting in favor of the three-minute time limit.

Council Member Andersen remarked that three minutes would be a restrictive time limit for her. She stated that many people who address the Council are nervous. She was comfortable with the way the policy was currently written and would not vote favorably for the proposed changes. She, however, made a plea to the public to understand and consider that while suggestions are helpful and always welcome, repetitious comments make meetings challenging. In other words, it is difficult to sit through a four-hour meeting where everyone is repeating the same comment.

Council Member LeMone referenced the meeting mentioned by Mayor Daniels where 89 people commented during the public hearing. She noted that people came prepared that night to speak in less than three minutes because the procedures had been clearly explained ahead of time. There weren't any citizen complaints regarding this procedure at that meeting, which indicates that the public would respect the implementation of a similar procedure at every meeting. Council Member Stanley argued that there are already policies in place that allow the Mayor to exercise discretion in limiting public comment when deemed appropriate. There was continued deliberation on the matter.

ACTION: Council Member Stanley moved that the Council deny adoption of a Resolution (2016-01) amending the City Council Policy and Procedure Policy. Council Member Andersen seconded the motion. A voice vote was taken, with Council Members Andersen and Stanley voting "Aye", and Council Members LeMone, Jensen and Walker voting "Nay". The motion failed 3-to-2.

ACTION: Council Member Jensen moved that the Council approve adoption of a Resolution (2016-01) amending the City Council Policy and Procedure Policy. Council Member Walker seconded the motion. A voice vote was taken, with Council Members Jensen, LeMone and Walker voting "Aye", and Council Members Andersen and Stanley voting "Nay". The motion passed 3-to-2.

Mayor Daniels explained that local government operates in a political world and the Council is elected to represent the majority. One problem is to avoid allowing political disagreements that

occur outside of City Council Meetings from perpetuating into City Council Meetings. He stated that because they implemented an "open mic" approach to last year's meetings, in many ways they became more disrespectful, and oftentimes spoke longer. He stated that this is a failing on the Mayor's part, for not managing meetings more effectively. As the Mayor, it is his job to support the decisions of the Council; therefore, he would support the approved policy changes.

B) TO CONSIDER ADOPTION OF A RESOLUTION (2016-02) AUTHORIZING THE MAYOR TO DECLARE 20 CELL PHONES AND THREE AIR CARDS AS SURPLUS AND DIRECT THAT THEY BE DISPOSED OF ACCORDING THE CITY'S POLICY FOR DISPOSING OF SURPLUS PROPERTY. *Presenter: Director Beaumont.*

Public Works Director, Marty Beaumont, reported that Public Works has changed their provider from AT&T to Verizon and they now they have 20 cell phones that need to be disposed of according to the City's policy. Council Member Stanley asked Director Beaumont to elaborate on why this was a financially sound move. Director Beaumont explained that they saved around \$3,500 on cell phones this year because of the change, which was attributed to significant credits received on each phone. Furthermore, they will receive unlimited data through Verizon, which is needed for the department.

ACTION: Council Member LeMone moved that the Council approve Resolution (2016-02) authorizing the Mayor to declare 20 cell phones and three air cards as surplus and direct that they be disposed of according the City's policy for disposing of surplus property. Council Member Jensen seconded the motion. A voice vote was taken, with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting "Aye". The motion carried unanimously.

11) ITEMS FOR DISCUSSION - NO ACTION

A) DISCUSSION ON THE ENGINEERING POSITION.

Director Beaumont explained that financially it makes sense to consider another engineering position at the City. Currently, the majority of engineering services are provided through contracts with J-U-B Engineering and Horrocks Engineering, which is fairly expensive for the City. He presented a summary of costs and a draft proposal of the position to the Council for review. He noted that it would be best to bring on an Engineer II, rather than Engineer I, so that the ideal candidate has a little bit more experience.

Staff anticipated that by bringing on another Staff Engineer they would save \$80 per hour, for a total annual savings of \$132,000 per year. The billing rate for a new Staff Engineer would be \$30.00 per hour, for an annual salary of \$62,000 per year and a benefits package of \$31,200, or a total of \$93,600 per year. Additional costs include equipment such as a computer, computer software, printer/scanner, office setup, cell phone, and a vehicle. The City would still need to employ consultant services for specialized projects; however, the Staff Engineer would conduct development reviews, and help with streets and smaller projects. The work load varies from year to year based on the amount of development taking place in the City.

Council Member Stanley asked if the City has ever filed a malpractice claim against J-U-B Engineering or any other firm. Engineer Lewis answered in the affirmative and explained that while they have never gone through a formal adversarial process, there was a designer on the Shannon Fields project that made several mistakes in the renderings that should have been caught. When the mistakes were noticed, J-U-B Engineering adjusted the bill charged to the City.

Council Member Stanley pointed out that there is value in having outside insurance providers that can cover mistakes as they arise. Furthermore, it is easier to cut off a consultant when there isn't any work, rather than trying to let a full-time employee go when the projects don't necessitate the position. Director Beaumont did not foresee adding an engineering position being a problem with regard to meeting future demands. Engineer Lewis added that the work that the new engineer would do is fundamental and already needs to be done but can be conducted at a much lower price then what they are currently paying through engineering consultants.

Administrator Darrington noted that the money needed to create the position is budgeted and they are not asking for more money to fund it. They are simply asking for permission to use the available funding so that they can save more in the long run. Council Member LeMone asked Director Beaumont if he believed a Staff Engineer would provide the same level of service as the consultants are currently providing. Director Beaumont pointed out that he was a consultant before joining the City. Furthermore, he intends to make this a long term position and train the engineer to be extremely valuable to the City so that they can accomplish more projects in-house.

12) <u>DISCUSSION ITEMS FOR THE JANUARY 12, 2016 WORK SESSION MEETING</u>

Administrator Darrington explained how the Work Session meeting will differ from a Regular City Council Meeting. Staff will sit at tables facing the Council and the dialogue will be between staff and Council on the issues outlined on the agenda. Work Sessions would consist of discussion only and no action will be taken. The public is welcome to attend, however, there is no intent to have an open session or public discussion.

Administrator Darrington reviewed next week's agenda. First, they will hold a discussion relating to the vision for potential development and permitted uses on properties in the area west of Walmart and north of Center Street in the Grove Commercial Sales Subdistrict. Second, there will be a discussion on accessory apartments. Last, staff and the Council will have a discussion and review of Title 2, Chapter 5, pertaining to the Design Review Board.

13) NEIGHBORHOOD AND STAFF BUSINESS

Director Young reported that the long awaited opening of the Thai Cuisine Restaurant on Center Street is forthcoming. A final inspection was conducted earlier in the day and there are only a few small items that need to be addressed prior to opening. Their anticipated open date is January 15, 2016. Furthermore, he noted that his 7th grandchild was recently born.

Assistant to the City Administrator, David Larson, announced that this Thursday is the annual Chamber of Commerce Awards Banquet at doTERRA. Awards will be given in six different categories. Anyone in the community was invited to attend.

Parks and Recreation Director, Deon Giles, reported that the Beautification Commission is searching for new members. He asked staff and the Council to provide recommendations from different neighborhoods so that they can move forward and set up interviews. Candidates must be residents with the goal being to keep one member in each neighborhood.

Administrator Darrington reported that he will be sending an email regarding streaming of meetings, updates on the Hammond property, and on the TSSD settlement.

14) MAYOR AND COUNCIL BUSINESS

Council Member Stanley asked if new Council assignments will be made. Mayor Daniels answered in the affirmative. Public Safety Building Meetings were to resume the following evening at 7:00 p.m. All were welcome to attend. The following night they will be interviewing the top three architect candidates and subsequently make a recommendation to the City Council. There were a number of positions open on the Planning Commission, Board of Adjustment, Metropolitan Water Board, and Irrigation Company Board.

15) SIGNING OF PLATS

The following plats were signed: Trails End B and Tuscany Farm.

16) <u>REVIEW CALENDAR</u>

It was reported that the City Offices will be closed on January 18th.

17) <u>ADJOURN</u>

ACTION: Council Member LeMone moved to adjourn. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 8:43 p.m.

Minutes of January 5, 2016 were approved by the City Council on February 2, 2016

Kathy T. Kresser, City Recorder, MMC

(Exhibits are in the City Council Minutes binders in the Recorder's office.)